

REMARKS

Applicant requests reconsideration of the application in view of the present amendment.

Claims 1-20 and 27-28 are pending in this application, with claims 1, 3-7, 9, 12-13, and 18-19 amended, claims 27-28 added, and claims 21-25 cancelled without prejudice or disclaimer by the present amendment. Claims 1, 9, 27 and 28 are independent.

Claims 1-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,632,002 to Hashimoto et al. ("Hashimoto").

Claims 1, 9 and 21 are amended, and claims 27-28 are added, to recite additional features disclosed in Applicant's originally filed specification. Claims 1, 3, 7 and 12-13 are amended to avoid an interpretation under 35 U.S.C. § 112, sixth paragraph. No new matter is added.

Briefly recapitulating, amended claim 9 is directed to

A method for converting e-mail data into audio data, comprising the steps of:

receiving an e-mail;

storing the received e-mail as e-mail message header data, e-mail content data and e-mail attachment-type data;

receiving a request to retrieve the email, including verifying a requestor's identification;

converting the e-mail message header data, e-mail content data and e-mail attachment-type data to audio header data, audio content data and audio attachment-type identifier data, the audio attachment-type identifier data being an announcement of the existence and type of an attachment to the email;

saving in a memory the audio header data, audio content data and audio attachment-type identifier data; and

transmitting the audio header data, audio content data and audio attachment-type identifier data to the client as an audio signal.

Independent claim 1 recites, inter alia, an audio data generator configured to convert the e-mail message header data, e-mail content data and e-mail attachment-type data into an audio signal including corresponding audio header data, audio content data and audio attachment-type identifier data and to transmit the audio data to a client through the communication connector upon a client request, the audio attachment-type identifier data being an announcement of the existence and type of an attachment to the email.

Hashimoto describes a speech recognition interface system for enabling a speech control of a plurality of application programs executed on a computer. FIG. 66 of Hashimoto describes a fifteenth embodiment of a speech recognition interface system that defines a speech mail tool system. The fifteenth embodiment is an example of a specific application of the speech input and output interface system of the fourteenth embodiment, the speech mail tool system incorporating speech synthesis and speech output functions. In this fifteenth embodiment, the speech mail tool system has an overall configuration as shown in FIG. 66, which comprises: a speech I/O (Input/Output) system 651 having a speech synthesis function in addition to the speech recognition function, which is substantially similar to that of the fourteenth embodiment.

Hashimoto notes that while the data transmitted and received in the speech mail system are usually text data, it is also possible to use the *data other than the text data* (such as speech (e.g., spoken audio) data and image data) in the mails. In order to transmit and receive the mail containing the speech data, the speech mail tool system is required to be equipped with a function to record and *reproduce the raw speech data*.

In this fifteenth embodiment, the speech mail tool 653 provides the screen display as

depicted in FIG. 69, which is basically similar to that of FIG. 54 for the twelfth embodiment described above, except that it further incorporates the function to read out the mail as described below. In this FIG. 69, *the mail having a star mark in the list display section is the mail document containing the speech data*. In order to record, reproduce, and edit the speech data within the mail, the speech data edit sub-window is also provided as shown in FIG. 70.

For example, the mail in the received mail display section of FIG. 69 can be read out as follows.

"Mr. Tamura" (text data converted into the speech data by the speech synthesis)

"Submit the last week's business trip report immediately." (speech data of the "emergency" icon button reproduced as it is)

"Sawada" (text data converted into the speech data by the speech synthesis)

In this manner, by carrying out the appropriate processing according to the data type, such as speech synthesis for the text data and speech reproduction for the speech data, in an order to their appearances in the mail, the mail document containing mixed data can be read out. It is also possible for the mail document to incorporate the other types of data such as the image data for which the appropriate processing such as the image reproduction can be carried out at a time of the read out operation. *In addition, the read out of the mail document can include not just the main message portion but also the mail header portion which contains the title, sender, received time, etc.*

However, Hashimoto does not disclose or suggest a step or device for converting the e-mail message header data, e-mail content data and e-mail attachment-type data to audio header data,

audio content data and audio attachment-type identifier data, the audio attachment-type identifier data being an announcement of the existence and type of an attachment to the email. With Applicant's claimed invention, a client/subscriber is able to audibly determine whether an attachment has been received with the email, and to audibly determine the type of the attachment. This is not possible with Hashimoto .

MPEP § 2131 notes that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also MPEP § 2131.02. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Because Hashimoto does not disclose or suggest all of the features recited in claims 1 and 9, Hashimoto does not anticipate the invention recited in claims 1 and 9, and all claims depending therefrom.

Regarding claims 4 and 18, Applicant further submits that Hashimoto does not disclose or suggest plural attachment types that comprise an image-type attachment, a video-type attachment, an audio-type attachment, and an email-type attachment. Thus, Applicant submits that claims 4 and 18 patentably define over the Hashimoto for independent reasons.

Applicant further submits that the applied references do not disclose or suggest the features recited in new independent claims 27-28.

Application No.: 10/621,524
Reply to Office Action dated: December 17, 2007
Art Unit 2155

Attorney Docket No. 0630-1792P

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No. 46, 472, at (703) 205-8000, in the Washington, D.C. area.

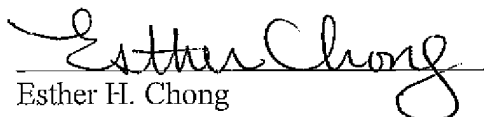
Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: March 14, 2008

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 
Esther H. Chong
Reg. No.: 40,953
P.O. Box 747
Falls Church, Virginia 22040-0747
Telephone: (703)205-8000